

Saskowski, Ronald

From: Miller, Scott
Sent: Friday, March 13, 2015 10:19 AM
To: Saskowski, Ronald
Subject: FW: TDEC Daily News Summary

Hello Ron,
Please save this to SEMS for Smokey Mountain Smelters.
Thank you,
Scott

From: Lee Barron [mailto:Lee.Barron@tn.gov]
Sent: Monday, March 09, 2015 10:03 AM
To: Kestle, Rusty; Miller, Scott
Subject: FW: TDEC Daily News Summary

FYI – Two articles and an Editorial in Sunday's (08 MAR 2015) and Monday's (09 MAR 2015) Knoxville News Sentinel Newspaper regarding the Smokey Mountain Smelters Site.

Neighbors want answers on Superfund cleanup

Knoxville News Sentinel

Some residents at a South Knoxville housing project say they want to be kept better informed about the pollution and cleanup efforts next door at one of America's most polluted properties. The former Smokey Mountain Smelters property on Maryville Pike was placed on the National Priorities List in 2010. Often called the "Superfund list," the rankings designate the most polluted places in the U.S. and provide federal funds to clean up the sites. Smokey Mountain Smelters is next to a neighborhood of older single-family homes, as well as the 998 residents of the Montgomery Village housing project. "I still believe there may be contaminants there," said Ronnie Thompson, president of the Montgomery Village Residents Association. "I want them to test and hold a public meeting to update people and assure them that there is no more contamination that could be affecting them." When the smelter closed in 1994, mountains of waste from the smelting operation remained behind to release ammonia into the air, heavy metals into the soil and both into the water. Among the metals were aluminum, arsenic and cadmium. All cause lung damage if large amounts are breathed over time. Arsenic can cause cancer, and federal regulators have identified cadmium as a probable cause of cancer. Long-term exposure to large amounts of the metals can lead to decreased blood cell production, brain disease, kidney disease and other problems, according to the federal Agency for Toxic Substances and Disease Registry. Because the pollution was so exposed, the federal Environmental Protection Agency stepped in with a "short-term response action" at about the same time Smokey Mountain Smelters was added to the Superfund list. The agency demolished a collapsing building, buried waste on site, constructed drainage channels and erected a new fence to keep people out. "I think people are pretty happy with how things have gone," said Rusty Kestle, EPA remedial project manager for the site. "It was a success story in terms of how fast we were able to get out there and get some stuff done." But some residents want more answers about how effective those measures were, questioning why the EPA has not moved faster to measure the remaining contamination and its potential impact on residents. The EPA is two years behind on producing a "remedial investigation and feasibility study" of the site, which would list continued risks and cleanup options. The EPA could decide the bulk of the cleanup is basically finished. Covering wastes and monitoring air, water or soil afterward is a common way of handling some types of polluted properties. "If they haven't put their report out yet, I believe that is something that needs to be done ASAP," said Tonja Warren, director of the Montgomery Village Ministry and a resident of the complex for six years. She said the Superfund site needs to be monitored over time, and she would like the EPA to update residents on what that monitoring has shown. Thompson agreed, especially since so many new residents have moved in since remodeling that coincided with the initial EPA cleanup. "I don't think the majority of people down here even know that place is contaminated," he said. Kestle said a previous problem with trespassing from Montgomery Village onto the Superfund site had been

eliminated by a fence. But a walk of the property line quickly reveals the fence has been cut to make way for a path from the complex onto the polluted property. Julie Wayman is one of the newer arrivals unaware of the pollution nearby. Her porch is cluttered with the toys of her two granddaughters. Cats weave between her legs as she talks. "If there is something still toxic over there, we need to know that," she said. "That stuff can be scary." Wayman wondered aloud whether contamination from the former smelter site could be causing her cats to scratch themselves bloody, an apparent allergic reaction that began since she moved into the apartment complex. According to the EPA web site, the last public meeting about Smokey Mountain Smelters was held at Montgomery Homes in 2011. Kestle said there was little public interest at the time. Since that time the EPA has provided no further updates to local governments or the Knoxville Community Development Corp., which operates Montgomery Village. But no officials voiced any dissatisfaction with that. "The residents surrounding this property certainly deserve to know whether it is clear of environmental and health concerns," said Knox County Mayor Tim Burchett in an emailed statement. "I hope, after several years on this project, the EPA will soon be able to move a step closer to a final resolution for this site." Environmental justice Many of the most polluted sites in the United States are near poor neighborhoods, often with a high minority population. For example, as long as 30 years ago, the U.S. General Accounting Office found hazardous waste landfills are disproportionately located in such communities. According to the 2013 American Community Survey conducted by the U.S. Census Bureau, 46 percent of workers who live in the same zip code with Smokey Mountain Smelters are living below the poverty level. Most are white. The EPA's Office of Environmental Justice was created in response to concerns that poor and minority Americans suffer more from environmental hazards related to industry and government activities. The EPA is mandated to provide the same level of protection to all residents and to give them an equal opportunity to participate in decisions affecting their health. But some university and nonprofit programs have continued to challenge the federal government over the slow speed of cleanups and health investigations in poor communities. A prominent Tennessee example was the low-income neighborhood in Memphis surrounding the U.S. Department of Defense Depot, where toxic chemicals contaminated soil, water and air for half a century. Lois Gibbs, director of of the Center for Health, Justice and the Environment, said she has worked with more than 12,000 communities across the country since crusading on behalf of her contaminated Love Canal neighborhood in upstate New York. That contamination resulted in the resettlement of an entire subdivision and prompted the creation of the Superfund program. Gibbs' nonprofit has often focused on advocating for communities with Superfund sites, most of which were low-income with high minority populations, she said. "Low-income families often don't have good health care, their nutritional values are different, and they're more susceptible to these chemicals," she said — especially children, who can lose IQ points from heavy metal exposures. "I call it the circle of poverty and poison: They can't crawl out if they can't succeed, and they can't succeed if they can't learn," Gibbs said. Pitfalls to quick cleanups? She says often when the EPA provides a fast emergency cleanup, it stirs up large amounts of dust, carrying the pollutants into nearby homes. "A lot of times, more contamination is spread during the emergency cleanup," Gibbs said. By its very nature, the fast response also leaves less time for public participation in decisions, she said. Kestle said the EPA heard no complaints about dust or odor during the initial cleanup. But Thompson remembers dust being a problem. "They didn't try to contain their dust, they were just going full-blast," he said. "I believe breathing the contamination while it was there and while they were in the process of cleaning it up — well, the air quality got pretty rough for a while there." But Warren, who at the time lived in one of the apartments closest to the Superfund site, said she thought the dust was controlled "pretty well" during the cleanup. And Thompson he said he wasn't sure what further dust control steps were possible, since spraying water on the waste would just create more contaminated runoff. He noted the piles of waste smelled bad long before the cleanup. Kestle said rainwater mixing with the waste pile caused releases of ammonia, with a strong smell often compared to cat urine. For years before the former smelter was added to the Superfund list, neighbors had complained about the smell, Kestle said. Kestle said the EPA has tested the air around the former smelter, now basically a grassy field, to see whether any pollutants are still being released into the air from the soil. Although he said the issue "is not finalized," he said ambient air testing found nothing and metals don't commonly release into the air. They stay in soil and can move through ground or surface water. "I don't know of any direct exposure pathways for humans (now)," he said. "As far as I know nobody was hurt out there, which is surprising, as dangerous as that site was."

<http://www.knoxnews.com/news/local-news/neighbors-want-answers-on-superfund-cleanup> 76973768

After swift start, Knox Superfund cleanup lags

Knoxville News Sentinel

Federal environmental officials are years behind in evaluating the pollution and risks at Knox County's only Superfund site. Heavy metals contaminate the soil and groundwater at the former Smokey Mountain Smelters property on Maryville Pike in Vestal, even after the federal Environmental Protection Agency conducted a \$2 million "short-term removal action" there. In 2010, the EPA added the shuttered smelter, also known as Rotary Furnace, to its National Priority List of

the most polluted properties in the country, commonly called the Superfund list. The EPA's initial cleanup ended in 2012 and included demolishing a large, collapsing building, removing or covering mountains of waste and reducing polluted runoff to a nearby creek. According to the EPA's website, the former smelter's soil, water, or both were contaminated with arsenic, lead, cadmium and other heavy metals, as well as polycyclic aromatic hydrocarbons and some polychlorinated biphenyls (PCBs). The EPA moved quickly in part because of evidence that children from the adjacent Montgomery Village public housing project were being directly exposed, said Rusty Kestle, EPA remedial project manager for the site. "It was next door to a residential area where a lot of children were living, and it was kind of their playground for a while," Kestle said. "There were chemicals they shouldn't have been playing in, and a big building falling down. ... We pretty much eliminated the worst risks." But progress has stalled since the EPA's initial work. The agency was scheduled to produce a remedial investigation and feasibility study by the beginning of 2013. The document was intended to evaluate what human exposures remain, how far the pollution has spread, and whether further action might be needed to reduce risk to neighbors, particularly children. Today, there are 998 people living in Montgomery Village alone, according to Amanda Jennings of Moxley Carmichael, the public relations firm representing the Knoxville Community Development Corp. KCDC manages the housing project, which is just across the railroad tracks from the former smelter. In the center of Montgomery Village is a Boys & Girls Club, and the complex includes several parks. Kestle said the investigation and feasibility study was delayed by technical difficulties related to measuring the groundwater contamination, as well as a shortage of funding. "It's a double-edged sword, because we kind of took care of the problem, but then there's no money to do more now," he said. "We didn't have enough money to do the whole report at one time, so I've been kind of doing it bit by bit as I can." He said the EPA has almost all the data gathered for the report. "We are trying to finish the remedial investigation as early this year as we can," he said, before making an official decision about what additional cleanup is needed. EPA spokesman Jason MacDonald said "it would not be appropriate" to discuss what the report is likely to recommend. He declined to say how the pollution at Smokey Mountain Smelters compares with other Superfund sites in Tennessee or the Southeast. Continued exposure Today the Smokey Mountain Smelters property consists mostly of a large field containing a long, grassy mound. Kestle says he's seen wild turkeys there. EPA documents indicate the fence around the property, which had been cut near Montgomery Village, was repaired in 2008. "We have eliminated the trespassing problem," Kestle said. The chain link fence has again been cut and peeled apart where an obvious path has been made from Montgomery Village onto the Superfund site. A short distance down the railroad tracks, the fence appears open-ended, and another path leads onto the former smelting property. Red signs posted along the fence nearest the housing complex read: "Danger: Do not enter by order of the United States EPA," but most of the signs lie on the ground or are obscured by heavy growth of vines and fallen trees. Ronnie Thompson, president of the Montgomery Village Residents Association, said he thinks most of the people who enter the Smokey Mountain Smelters property are adults or teenagers taking a shortcut. "Also, there used to be blackberries down there, and people still pick them," he said. Tonja Warren, director of the Montgomery Village Ministry and a resident of the project for six years, said she thinks kids have stopped playing at the former smelter. But she noted families usually occupy the apartments closest to the Superfund site. "There are four or five bedrooms, so there are a lot of children there," she said. "So it is a concern." Toys are scattered across the grass near the trail from the closest apartments down to the path across the railroad tracks leading to the Superfund site. Groundwater contamination Neighbors outside the apartment complex could also be exposed to contamination from Smokey Mountain Smelters through water flowing underground. "We weren't really expecting to find any groundwater contamination, and we did," Kestle said. Kestle said regulators wanted to monitor groundwater for a year to get a more accurate picture. "The groundwater is the main thing we're worried about, as well as surface water," Kestle said. "We want to make sure we get a permanent solution to this." A report by the federal Agency for Toxic Substances and Disease Registry about a decade ago indicated there are still some drinking water wells in the area. Those wells are only about 35 feet deep, the agency indicated, and the geology of the area allows contaminants to easily seep into groundwater. Kestle said he thought state and local health officials had tested nearby drinking wells, finding no problems related to the smelter. But officials with the Knox County Health Department said they have no record of such tests. "If there were anybody on wells there, it would be few and scattered," said Albert Iannacone, environmental epidemiologist for the Knox County Health Department. "They've probably been 80 years on city water in that area." Eric Ward, spokesman for the Tennessee Department of Environment and Conservation, said department records indicate the EPA found nine wells around the Superfund site in 2009. But the state has had no role in testing since the late 1990s, Ward said. At that time, TDEC sampled three private wells, finding no elevated levels of metals in the two being used for drinking water. A third well, no longer used for drinking, had higher levels of aluminum, iron and manganese, he said. State and local officials say they are not conducting periodic monitoring at any private wells in relation to the Smokey Mountain Smelters pollution. The EPA's efforts to sample ground water were delayed by the discovery of an unexpected dump, Kestle said. During the initial excavation, the EPA discovered the salt cake on the southern part of the property had been piled on top of an unpermitted construction and demolition landfill that contained tires, crossties and treated timber. The EPA removed some of the waste, but plenty remains, Kestle said. The dump had never been permitted, so the EPA

has had to guess its size based on historical photos that indicate the property was actually a valley 100 years ago, Kestle said. It's so filled with trash that it's now mostly a hill. Sampling wells were hard to drill because buried garbage kept interfering, Kestle said. History and responsibility The Superfund site was operated as a smelter from 1979 to 1994. When its owner died, the business was shuttered, and none of the heirs claimed it, Kestle said. "Unless we can prove they were involved in the operation of the site, they don't have any legal liability," he said. Before the smelting operation, the property had been home to companies that manufactured fertilizer and agricultural chemicals, starting in the 1920s. The EPA is still researching to find responsible parties related to the earlier companies that operated on the property, Kestle said. "We're still looking at having the polluter pay, because we've spent a lot of money on this," he said. Smokey Mountain Smelters was a secondary aluminum smelter that made aluminum ingots by melting down scrap aluminum and a smelting byproduct called aluminum dross. Most of the waste from the operation was a residue called salt cake, which contained large amounts of salt contaminated with metals. According to the EPA's website, before its Superfund designation the property was dominated by a 4-acre pile of salt cake and aluminum dross that had been dumped directly onto the ground without a liner or drainage controls. Rain falling on the pile reacted with the waste, releasing heat and ammonia gas as contaminants seeped into the ground. The ammonia stank, and state environmental officials were concerned the pile might catch fire. A natural spring on the property had formed a contaminated lagoon, and runoff from the waste pile was polluting an unnamed tributary of Flenniken Branch that feeds the Tennessee River through I.C. King Park, a popular local fishing spot. Water testing early in the last decade showed high amounts of ammonia and chlorides along the entire length of the creek after it passed Smokey Mountain Smelters. Metals such as cadmium were also found in the creek waters or sediment, according to EPA data online. Kestle said fish were tested at the I.C. King Park lake and the Tennessee River. Some fish contained PCBs, which are stored in the tissue of humans who eat the fish. PCBs may cause cancer in humans and developmental damage in children. Kestle said PCB contamination is common in the Tennessee River and is believed to be unrelated to the Smokey Mountain Smelters site. The ammonia and metals contamination in the creek appears to be clearing up, due to the EPA's efforts, Kestle said. The agency moved the salt cake and dross to a concrete pad and covered it, eliminated the lagoon and built lined drainage ditches to direct rainwater away from the waste, Kestle said. Now pollution is no longer leaking out of the pile into surface water because rain can't reach it, he said.

http://www.knoxnews.com/news/local-news/after-swift-start-knox-superfund-cleanup-lags_11318818

Editorial: EPA must finish Smokey Mountain Smelters cleanup

Knoxville News Sentinel

The U.S. Environmental Protection Agency conducted an initial emergency cleanup at Knox County's only Superfund site that ended three years ago, but since then little progress has been made to finish the job. The federal agency has an obligation to the people living in this economically disadvantaged area of South Knoxville to get the cleanup back on track as soon as possible. Smokey Mountain Smelters has been a danger to the community since it opened in 1979. Since it shut down in 1994, abandoned to time and the elements, the huge, crumbling smelter building became what is known in legal terms as an attractive nuisance for children in the area. A slag heap on the property leached toxic heavy metals and polychlorinated biphenyls (PCBs) into the soil and an unnamed tributary of Flenniken Creek. The metals include aluminum, arsenic and cadmium, all of which can cause health problems, especially with long-term exposure. Almost 1,000 people, many of them children, live in the Montgomery Village housing project, which is located across a railroad track from the smelter site. Many other neighbors live in poverty. Children who live in and around Montgomery Village have used the vacant smelter property as a playground for years. The EPA placed the former aluminum recycling smelter on its National Priority List, commonly called the Superfund list, in 2010. In the initial cleanup, workers tore down the dilapidated main building and removed or covered the toxic waste at the site. Once the immediate danger had been eliminated, work on the project ground nearly to a halt. The EPA was supposed to complete a study evaluating the site and recommending next steps in the cleanup process by the beginning of 2013. Two years later, the report has not been finished. Rusty Kestle, the EPA's remedial project manager for the site, told the News Sentinel the report has been delayed because of technical issues with groundwater sampling and a shortage of funding. The report, he said, should be out later this year, with a decision on future work at the site to be made afterwards. The site is part of a decades-long legacy of pollution and neglect that has plagued the people who live in the Maryville Pike corridor. Smokey Mountain Smelters, run by Rotary Furnace Inc., racked up numerous violations during its 15-year lifespan. One of the operators was David Witherspoon Jr., who also ran the David Witherspoon Inc. recycling facility in Vestal and the Witherspoon Landfill, a graveyard strewn with radioactive industrial equipment adjacent to the smelter property. A generation of South Knoxville residents has been put at risk from the contaminants at the site, an intolerable situation that must be remedied. As shown by the emergency cleanup of the site, the EPA is capable of swift action at times. That is one reason the delay in finishing

the cleanup is as puzzling as it is frustrating to South Knoxville residents. The EPA needs to get back on track to finish the work so the largely low-income families in the area can live in a healthier community.

http://www.knoxnews.com/opinion/editorials/editorial-epa-must-finish-smokey-mountain-smelters-cleanup_46524829